



OLC 73-0813

10 July 1973

Honorable Stuart Symington
Acting Chairman
Committee on Armed Services
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

During my testimony today before the CIA Subcommittee you asked for my comments on an article by Mr. Laurence Stern in the Washington Post this morning. In his article, Mr. Stern refers to testimony by former CIA Director Richard Helms in a closed session of the Senate Foreign Relations Committee on February 7th of this year in response to a question from Senator Case. Mr. Stern alleges that this testimony is in conflict with a statement made by Mr. Tom Charles Huston in a memorandum to Mr. H. R. Haldeman in July 1970.

A review of Mr. Helms' 7 February 1973 testimony as it was restated in a Senate Foreign Relations open hearing on 21 May 1973 shows that Mr. Stern omitted an essential part of Senator Case's question. The full text of that question, with the omission underscored, follows:

"It has been called to my attention that in 1969 or 1970 the White House asked that all intelligence agencies join in the effort to learn as much as they could about the anti-war movement. About this time Army Intelligence

became involved in keeping files on United States citizens. Do you know anything about any activity on the part of the CIA in that connection? Was it asked to be involved?

Mr. Helms. I do not recall whether we were asked, but we were not involved because, it seemed to me, that was a clear violation of our charter, of what our charter was."

Senator Case's question was a double one dealing with both the overall collaboration of intelligence agencies and the involvement of Army Intelligence in keeping files on U.S. Citizens. I believe Mr. Helms was focusing primarily on the last part of the question, which does not appear in the press story. I know Mr. Helms very well and I can assure you he in no sense committed perjury nor is it in his character to do so.

There is a second point about the Huston memorandum. An inter-agency group was established about that time to study internal security. CIA's contribution to that effort would have been to provide available foreign intelligence information to a general governmental problem. Mr. Helms' "helpful" attitude, I feel, reflected only participation in a study of a general governmental problem to the extent that foreign intelligence could make a contribution. This is fully consistent with CIA's mission of, and limitation to, foreign intelligence.

If I can be of any further assistance, please do not hesitate to call on me.

Sincerely,

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W. E. Colby

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WASHINGTON POST

10 JUL 1973

A Sense of Deja Vu at CIA

Watergate Disclosures Raise Questions

"We were not involved because it seemed to me that was a clear violation of what our charter was."

Richard M. Helms, Feb. 7, 1973

"Dick Helms was most cooperative and helpful."

Tom Charles Huston, July 1970

By Laurence Stern

Washington Post Staff Writer

In the vernacular of courtroom melodrama, someone was dissembling.

It was either Richard M. Helms, the respected former director of the Central Intelligence Agency, or was it Tom Charles Huston, the White House architect of the controversial 1970 domestic intelligence plan.

The conflict was rooted in an appearance by Helms before a closed session of the Senate Foreign Relations Committee last February 7.

Helms was being questioned by Sen. Clifford P. Case (R-N.J.). It had come to his attention, said Case, that in 1969 or 1970 the White House asked that all the national intelligence agencies pool resources to learn all they could about the anti-war movement.

"Do you know anything," he asked Helms, "about any activity on the part of the CIA in that connection? Was it asked to be involved?"

Replied Helms: "I don't recall whether we were asked but we were not involved because it seemed to me that was a clear violation of what our charter was."

"What would you do in a case like that? Suppose you were?" Case persisted.

"I would simply go to explain to the President this didn't seem to be advisable," said Helms.

"That would end it?"

"Well I think so, normally," Helms concluded.

Case's prescient question was posed nearly four months before the public leak of Huston's memoranda describing for the first time the intensive domestic surveillance

program approved and then, allegedly, rescinded by President Nixon five days later.

The Huston papers implicated Helms and his agency in the 1970 intelligence plan so directly that the word perjury was being uttered in Senate offices by those who were privy to the secret testimony given by Helms in February.

One of Huston's top secret memoranda, addressed to former presidential chief of staff H. R. (Bob) Haldeman, reported: "I went into this exercise fearful that CIA would refuse to cooperate. In fact, Dick Helms was most helpful..."

Huston also reported that

top CIA officials joined in meetings with other intelligence agencies to draft the 1970 intelligence report.

By the time the Huston documents surfaced and the contradiction became apparent, Helms had returned to his ambassadorial post in Iran. He was never publicly confronted on the conflict between his own testimony that "we were not involved" and Huston's assertion that "Dick Helms was most cooperative and helpful."

Yet here was compelling new evidence that the CIA had been involved in domestic security matters which, by Helms' own admission, violated the agency's congressional charter. The 1947 National Security Act establishing the CIA decreed that it "shall have no police, subpoena, law enforcement powers, or internal security functions."

Incidents such as these breed a sense of frustration, if not political impotence, among those on Capitol Hill who have sought to place in the hands of Congress the countervailing power of oversight on CIA operations.

"The Old Boy business is so depressing," complained one senior Senate staff specialist in CIA matters. "The Helms performance was a love-in when they should have been blowing him out of the water."

Time and time again since its inception 26 years ago, the CIA has been caught with its cloak and dagger showing in the wrong places at the wrong time.

Six years ago the agency was rocked by its last major intelligence scandal—the disclosure that it had been secretly funding and infiltrating student associations, universities, labor unions, church groups and diverse other private organizations.

Tens, perhaps hundreds of millions of dollars in public funds were distributed without public accounting to influence the views and activities of supposedly independent organizations in the United States and abroad.

The money was circulated

through a network of tax-exempt foundations operated, in many cases, by an influential elite of bankers, lawyers and industrialists who provided a massive and respectable cover.

If ever there were grounds for a wholesale congressional review of the CIA's role in the public and private business of the country, the 1967 episode would seem to have provided the occasion.

"I'm not at all happy about what the CIA has been doing," said then Vice President Hubert H. Humphrey, "and I'm sure that out of this very singularly disagreeable situation will come a reformation of that agency."

But nothing changed basically.

President Johnson appointed a study commission, headed by then Under Secretary of State Nicholas DeB. Katzenbach, which reported back speedily that the CIA had been following the orders of the National Security Council in carrying out the covert financing scheme.

The Katzenbach panel called for a modest reform. It proposed a prohibition on CIA funding to educational, philanthropic and cultural organizations such as the ones the agency had been secretly funding. But it also suggested a loophole under which such grants could be made to serve "overriding national security interests." Helms was one of the three panel members.

Less than a year after the secret funding scandal broke, a group of Old Boys met in January, 1968 under the auspices of the prestigious Council on Foreign Relations to take stock of the agency's somewhat battered public position. The elite panel included the late CIA director Allen Dulles, international financier C. Douglas Dillon and two former heads of the agency's Plans (familiarily known as "dirty tricks") Division.

While the public rhetoric promised reform and tighter safeguards on CIA operations, the focus of the off-the-record discussion at the New York offices was altogether different.

continued

This was the private diagnosis presented to the group by Richard M. Bissell Jr., who was the CIA's chief of covert operations during the Bay of Pigs debacle:

"On disclosure of private institutional support of late it is very clear that we should have had greater compartmenting of operations. If the agency is to be effective, it will have to make use of private institutions on an expanding scale, though these relations which have been 'blown' cannot be resurrected.

"We need to operate under deeper cover, with increased attention to the use of 'cut outs' (agency fronts) ... The CIA interface with various private groups, including business and student groups must be remedied."

Bissell's comments were never intended for public consumption. But a record of the discussion was found in an university official's office during a 1968 student raid in Cambridge, Mass.

The issue, as privately defined among these blue ribbon members of the intelligence community, was not reform. It was how to do it better and how not to get caught.

Now the agency is in hot water again in the aftermath of the Watergate scandal, the Ellsberg affair and the CIA's involvement with ITT in the 1970 Chilean presidential election.

For the first time the American public learned of CIA "safe houses" for covert operations within the shadow of the National Cathedral in one of Washington's prime residential districts. There have been revelations of domestic political espionage teams composed of ex-CIA employees.

The agency also seems to be a dispensing center for "sterile" phone numbers, spy cameras, mail drops, wigs and tape recorders--no questions asked--when ap-

proached through proper White House channels.

The most serious lesson of the recent disclosures is that the agency and the White House national security managers have not been cured of the penchant for entanglement in domestic affairs.

And Congress, in deference to the agency's mystique of national security untouchability, has been reluctant to press hard questions.

One such question might be the role of the CIA's Domestic Operations Division, which was created nearly 10 years ago and which has been publicly mentioned in the press and at least one serious study of the CIA, The Espionage Establishment by David Wise and Thomas Ross.

There might also be questions about the nature of the super-secret National Security Intelligence Directives (known in intelligence parlance as Enskids) by which the powers of the agency have been gradually expanded far beyond their original charter for foreign intelligence gathering.

During the confirmation hearing last week for William E. Colby, the nominee to head the agency, acting Senate Armed Service Committee chairman Stuart Symington (D-Mo.) asked Colby about the NSC directives. Colby suggested that the matter was too sensitive for public discussion.

One of these directives, NSCID 7, empowered the agency to question persons within the United States and to interview American travelers to and from Communist countries, Wise and

Ross wrote. It also established the basis for the CIA front groups and fund conduits which were "blown" in the 1967 disclosures.

The prevailing tone of Congressional oversight of the intelligence community was expressed during a 1971 debate by Sen. John C. Stennis (D-Miss.), the senior congressional overseer of CIA activities.

"As has been said, spying is spying," Stennis said. "You have to make up your mind that you are going to have an intelligence agency and protect it as such; and shut your eyes some and take what is coming."

In recent weeks the agency has been subject to heavier congressional scrutiny than ever in its history as a result of the Watergate disclosures. Five committees, four in the Senate and one in the House, have been looking at various aspects of agency operations as they related to Watergate, ITT, Ellsberg and the 1970 intelligence plan.

But a searching and systematic examination of how the CIA functions and how deeply its operations intrude into the internal affairs of the United States does not seem likely to emerge from this spate of overlapping investigations.

For those who have over the years watched the cycle of exposure, public penitence and demands for curbing the excesses of the CIA's covert activities there is a strong sense of *deja vu* at the moment. The agency, for its part, is "toughing it out" until the clamor subsides once again.